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10 CAVIAR CREATOR, INC., a Nevada corporation

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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

DANIEL W. FAERFERS and KATJA FAERFERS, ) Case No.: 2:04-cv-2690-MCE-PAN  
Plaintiffs, )  
v. )  
CAVIAR CREATOR, INC., a Nevada corporation, individually and as successor to an Oregon corporation; CAVIAR CREATOR, INC., a Nevada corporation, )  
Defendants )  
\_\_\_\_\_  
AND RELATED COUNTERCLAIMS

**STIPULATION AND ORDER RE:  
DATE TO SUBMIT JOINT PRETRIAL  
STATEMENT**

WHEREAS, the above-captioned action previously was set for trial on October 25, 2006, pursuant to the Court's scheduling Order dated September 20, 2005;

WHEREAS in its September 20, 2005, scheduling order this Court also ordered a Final Pretrial Conference to occur on August 28, 2006, with a joint pretrial statement due on or before August 14, 2006;

WHEREAS on January 6, 2006, this Court ordered modifications to the September 20, 2006 scheduling order, including, among other modifications, setting a new trial date for January 24, 2007, and a new date for the Final Pretrial Conference on December 18, 2006;

WHEREAS the Court did not expressly modify the date for submission of the joint pretrial statement, currently due on August 14, 2006;

1        WHEREAS the Court's Local Rules 16-281 provide that pretrial statements must be  
2 submitted not less than ten court days prior to the Final Pretrial Conference, which in this  
3 case is set for December 18, 2006;

4        WHEREAS, the parties agree to submit a joint pretrial statement in accord with  
5 Local Rule 16-281 on or before December 4, 2006;

6        THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto  
7 through their respective attorneys of record; Vaughan & Associates, Cris C. Vaughan, for  
8 Plaintiffs/counter-defendants Daniel W. Faerfers and Katja Faerfers, and Diepenbrock  
9 Harrison, Eileen M. Diepenbrock for Defendant/counterclaimant Caviar Creator, Inc., that  
10 the currently scheduled date for submission of the joint pretrial statement of August 14,  
11 2006, should be continued to December 4, 2006, ten court days prior to the Final Pretrial  
12 Conference.

13        SO STIPULATED.

14        DATED: June 29, 2006

DIEPENBROCK HARRISON

16        By:

17                /s/ Eileen M. Diepenbrock  
18                Eileen M. Depenbrock  
19                Attorneys for Caviar Creator, Inc.

20        DATED: June 28, 2006

VAUGHAN & ASSOCIATES

21        By:

22                /s/ Cris C. Vaughan  
23                Cris C. Vaughan  
24                Attorneys for Plaintiffs DANIEL  
25                FAERFERS and KATJA FAEFERS

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28                Original Signatures maintained by  
                      Diepenbrock Harrison

## **ORDER**

PURSUANT TO STIPULATION, the currently scheduled date for submission of the joint pretrial statement pursuant to Local Rule 16-281 and this Court's scheduling order dated September 20, 2005, is continued from August 14, 2006 to December 4, 2006.

## IT IS SO ORDERED.

DATED: July 5, 2006

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE